

COPY

<b>DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN</b>  <b>PATENT APPLICATION</b>  <input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Declaration Submitted with      Submitted after Initial Initial Filing      Filing	Attorney Docket No.	INK-022
	First Named Inventor	Albert
	<b>COMPLETE IF KNOWN</b>	
	Application Serial Number	09/140,988
	Filing Date	August 27, 1998
	Group Art Unit	2778
	Examiner Name	David L. Lewis

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**RETROREFLECTIVE ELECTROPHORETIC DISPLAYS AND MATERIALS FOR MAKING THE SAME**

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on  
(MM/DD/YYYY)

August 27, 1998

as United States Application Serial Number or PCT International

Application Number 09/140,988 and was amended on (MM/DD/YYYY)                      (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
			<input type="checkbox"/>	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Serial Number(s)	Filing Date (MM/DD/YYYY)	<input checked="" type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.
60/057,133	August 28, 1997	
60/057,716	August 28, 1997	
60/057,122	August 28, 1997	
60/057,798	August 28, 1997	

## DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
08/504,896 08/983,404 08/935,800 PCT/US96/12000 PCT/US96/13469	July 20, 1995 July 19, 1996 September 23, 1997 July 19, 1996 August 20, 1996	

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number  → 

Place Customer  
Number Bar Code  
Label Here

OR

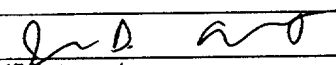
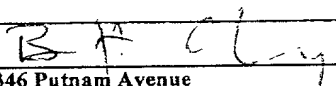
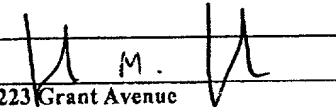
☒ Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Steven M. Bauer	31,481	Marianne McLaughlin	P-42,870
Isabelle A.S. Blundell	P-43,321	Thomas C. Meyers	36,989
Michael H. Brodowski	P-41,640	Edmund R. Pitcher	27,829
Joseph A. Capraro, Jr.	36,471	Kurt Rauschenbach	40,137
Jerrie L. Chiu	41,670	Michelle B. Rosenberg	40,792
John J. Cotter	38,116	Michael J. Schmelzer	P-43,093
Jennifer L. Dupre	P-41,722	J. Scott Southworth	39,382
Duncan A. Greenhalgh	38,678	Christopher W. Stamos	35,370
William G. Guerin	41,047	Robert J. Tosti	35,393
Ira Heffan	41,059	Thomas A. Turano	35,722
Elizabeth E. Kim	P-43,334	Michael J. Twomey	38,349
Douglas J. Kline	35,574	Christine C. Vito	39,061
John D. Lanza	40,060	Patrick R.H. Waller	41,418
Timothy P. Linkkila	40,702		
Kurt W. Lockwood	40,704		

☐ Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Name of Sole or First Inventor:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])						Family Name or Surname			
Jonathan D.						Albert			
Inventor's Signature						Date		8.25.99	
Residence		347 Putnam Avenue				Citizenship		U.S.A.	
		City	Cambridge	State	MA	Zip	02139	Country	U.S.A.
Post Office Address		347 Putnam Avenue							
		City	Cambridge	State	MA	Zip	02139	Country	U.S.A.
<input type="checkbox"/> Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) attached hereto.									
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])						Family Name or Surname			
Barrett						Comiskey			
Inventor's Signature						Date		8.25.99	
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		City	Cambridge	State	MA	Zip	02139	Country	U.S.A.
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		City	Cambridge	State	MA	Zip	02139	Country	U.S.A.
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])						Family Name or Surname			
Joseph M.						Jacobson			
Inventor's Signature						Date		8/25/99	
Street Address		223 Grant Avenue				Citizenship		U.S.A.	
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Post Office Address		223 Grant Avenue							
		City	Newton Centre	State	MA	Zip	02159	Country	U.S.A.

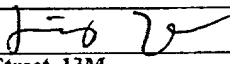
T0620: 9/25/99

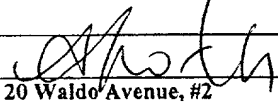
## Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.: 09/140,988


Page 4

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Libing				Zhang			
Inventor's Signature					Date		
Street Address		1025 Hancock Street, 13M			Citizenship		People's Republic of China
	City	Quincy	State	MA	Zip	02169	Country U.S.A.
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	City	Quincy	State	MA	Zip	02169	Country U.S.A.
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Andrew				Loxley			
Inventor's Signature					Date		
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Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
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Robert				Feeney			
Inventor's Signature		<i>Robert Feeney</i>			Date		30 Aug 99
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Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Paul				Drzaic			
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Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
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City		Quincy	State	MA	Zip	02169	Country U.S.A.
Post Office Address		1025 Hancock Street, 13M					
City		Quincy	State	MA	Zip	02169	Country U.S.A.

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
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Andrew				Loxley			
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Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
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Robert				Feeney			
Inventor's Signature				Date			
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City		Scituate	State	MA	Zip	02066	Country U.S.A.
Post Office Address		20 Foxwell Lane					
City		Scituate	State	MA	Zip	02066	Country U.S.A.

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Paul				Drzaic			
Inventor's Signature				Date		8/25/99	
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City		Lexington	State	MA	Zip	02421	Country U.S.A.
Post Office Address		2 Paddock Lane					
City		Lexington	State	MA	Zip	02421	Country U.S.A.

T 0 9 0 9 8 8

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
Ian				Morrison				
Inventor's Signature	Ian Morrison			Date	9/25/99			
Street Address	18 Prescott			Citizenship	U.S.A.			
	City	Acton	State	MA	Zip	01720	Country	U.S.A.
Post Office Address	18 Prescott							
	City	Acton	State	MA	Zip	01720	Country	U.S.A.

DWILSON2108/2.846186-1

09/25/99 09:50:50

**DECLARATION - Supplemental Priority Data Sheet**

Additional provisional applications:

Application Serial Number(s)	Filing Date (MM/DD/YYYY)
60/057,799	August 28, 1997
60/057,163	August 28, 1997
60/057,118	August 28, 1997
60/059,358	September 19, 1997
60/059,543	September 19, 1997
60/065,629	November 18, 1997
60/065,630	November 18, 1997
60/065,605	November 18, 1997
60/066,147	November 19, 1997
60/066,245	November 20, 1997
60/066,246	November 20, 1997
60/066,115	November 21, 1997
60/066,334	November 21, 1997
60/066,418	November 24, 1997
60/070,940	January 9, 1998
60/071,371	January 15, 1998
60/072,390	January 9, 1998
60/070,939	January 9, 1998
60/070,935	January 9, 1998
60/074,454	February 12, 1998
60/076,955	March 5, 1998
60/076,959	March 5, 1998
60/076,957	March 5, 1998
60/076,956	March 5, 1998
60/076,978	March 5, 1998
60/078,363	March 18, 1998
60/081,374	April 10, 1998
60/081,362	April 10, 1998
60/083,252	April 27, 1998
60/085,096	May 12, 1998
60/090,223	June 22, 1998
60/090,222	June 22, 1998
60/090,232	June 22, 1998
60/092,046	July 8, 1998
60/092,050	July 8, 1998
60/092,742	July 14, 1998
60/093,689	July 22, 1998
60/022,222	July 19, 1996
60/035,622	September 24, 1996

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c))-- SMALL BUSINESS CONCERN**

**COPY**

Attorney Docket No. **INK-022**

Applicant, Patentee, or Identifier: **Albert et al.**  
 Application or Patent No.:  
 Filed or Issued: **August 27, 1998**  
 Title: **Retroreflective Electrophoretic Displays And Materials For Making The Same**

I hereby state that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: E Ink Corporation.

ADDRESS OF SMALL BUSINESS CONCERN: 45 Spinelli Place, Cambridge, MA 02138.

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d) and 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

NAME OF PERSON SIGNING Russell J. Wilcox

TITLE OF PERSON IF OTHER THAN OWNER Vice President, Business Development

ADDRESS OF PERSON SIGNING 45 Spinelli Place, Cambridge, MA 02138

SIGNATURE

*RJ Wilcox*

DATE

10/15/98



**COPY**  
PATENT

Attorney Docket No. INK-022

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Albert et al.  
SERIAL NO.: 09/140,988 GROUP NO.: 2778  
FILED: August 27, 1998 EXAMINER: David L. Lewis  
TITLE: Retroreflective Electrophoretic Displays and Materials for Making the Same

**ASSOCIATE POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

An associate power of attorney is hereby granted to:

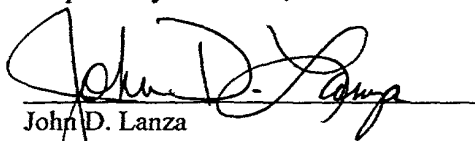
NAME	REG. NO.
Duan Wu	See attached "Limited Recognition under § 37 CFR 10.9(b)"

in connection with the above-identified patent application.

Please continue to direct all correspondence relating to the above application to:

Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

Respectfully submitted,



John D. Lanza  
Attorney for Applicant(s)  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

Date: October 6, 2000  
Reg. No. 40,060

Tel. No.: (617) 248-7604  
Fax No.: (617) 248-7100

**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATE PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Duan Wu is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of Testa, Hurwitz & Thibault, LLP to prepare and prosecute patent applications wherein the patent applicant is the client of Testa, Hurwitz & Thibault, LLP, and the attorney or agent of record in the applications is a registered practitioner who is a member of Testa, Hurwitz & Thibault, LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Duan Wu ceases to lawfully reside in the United States, (ii) Duan Wu's employment with Testa, Hurwitz & Thibault, LLP ceases or is terminated, or (iii) Duan Wu ceases to remain or reside in the United States on an H-1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

**Expires: May 24, 2002**

Chambers

Harry I. Moatz  
Director of Enrollment and Discipline